

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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In re

DELTA AIRLINES, INC., et al.,

Reorganized Debtors.

VARDE INVESTMENT PARTNERS, L.P., BEAR
STEARNS INVESTMENT PRODUCTS INC., PAR-
FOUR MASTER FUND, LTD., SUNRISE PARTNERS
LIMITED PARTNERSHIP, and CYPRESS
MANAGEMENT MASTER LP,

Plaintiffs-Appellants

v.

COMAIR, INC., COMAIR HOLDINGS, LLC,
COMAIR SERVICES, INC., DELTA AIRELITE
BUSINESS JETS, INC., and DELTA CONNECTION
ACADEMY, INC.,

Defendants-Appellees.

X
08 Civ. 5260 (MGC)

STIPULATION AND ORDER

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WHEREAS, Varde Investment Partners, L.P., Bear Stearns Investment Products Inc., Par-Four Master Fund, Ltd., Sunrise Partners Limited Partnership and Cypress Management Master LP (collectively, "Appellants") filed a Notice of Appeal on May 12, 2008 appealing from each and every aspect of the judgment and order of the Honorable Adlai S. Hardin issued on May 2, 2008 dismissing Appellants' adversary complaint styled Varde Investment Partners, L.P., et al. v. Comair, Inc. et al., Adv. Pro. No. 07-03065;

WHEREAS, the appeal was entered on the docket of the United States District Court for the Southern District of New York on June 9, 2008;

WHEREAS, Comair, Inc., Comair Holdings, LLC, Comair Services, Inc., Delta AirElite Business Jets, Inc., and Delta Connection Academy, Inc. (collectively, "Appellees" and, together with Appellants, the "Parties"), agreed to set a briefing schedule for the appeal, which briefing schedule was set forth in a stipulation so ordered by the Court on June 17, 2008;

WHEREAS, the Parties have now agreed to amend the briefing schedule for the appeal;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the Parties, by and through their respective attorneys of record herein, as follows:

1. Appellants shall file their opening brief on or before July 16, 2008.
2. Appellees shall file their opposition on or before August 15, 2008.
3. Appellants' reply to such opposition shall be filed on or before September 4, 2008.

AGREED:

WHITE & CASE LLP

By: Andrew Hammond for
Evan C. Hollander (ECH 0191)
Andrew W. Hammond (AWH 0415)
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Four Master Fund, Ltd., Sunrise Partners
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Counsel to Comair, Inc., Comair Holdings,
LLC, Comair Services, Inc., Delta AirElite
Business Jets, Inc., and Delta Connection
Academy, Inc.

NEW YORK COUNTY (2K)

Oral argument will be held on
September 18, 2008 at 10 A.M. in Courtroom 14A.
So ordered,
July 8, 2008

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United States District Judge